

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

HEADWATER RESEARCH LLC,

Plaintiff,

v.

T-MOBILE USA, INC. AND SPRINT CORP.,

Defendants.

Case No. 2:23-cv-00379-JRG-RSP

(Lead Case)

JURY TRIAL DEMANDED

HEADWATER RESEARCH LLC,

Plaintiff,

v.

T-MOBILE USA, INC. AND SPRINT CORP.,

Defendants.

Case No. 2:23-cv-00377-JRG-RSP

(Member Case)

JURY TRIAL DEMANDED

JOINT MOTION TO AMEND THIRD AMENDED DOCKET CONTROL ORDER

Plaintiff Headwater Research, LLC (“Headwater”) and Defendants T-Mobile USA, Inc. and Sprint Corp. (collectively, “Defendants” or “T-Mobile”), (collectively, the “Parties”) respectfully file this Joint Motion to Amend the Third Amended Docket Control Order (Dkt. 122) and would show the Court as follows:

Expert Disclosures

The current deadline for the Parties to Serve Disclosures for Expert Witnesses by the Party with the Burden of Proof is January 15, 2025, and the current deadline for the Parties to Serve Disclosures for Rebuttal Expert Witnesses is February 10, 2025. At this time, the Parties request a brief extension of the deadline to Serve Disclosures for Expert Witnesses by the Party with the

Burden of Proof to **January 20, 2025** (from January 15, 2025) and a brief extension of the deadline to Serve Disclosures for Rebuttal Expert Witnesses to **February 14, 2025** (from February 10, 2025). These brief extensions of less than one week will allow the Parties additional time to complete fact discovery before the expert disclosures and to incorporate that fact discovery into such expert disclosures.

Pretrial Conference

The Pretrial Conference was originally set for April 11, 2025 by this Court in the original Docket Control Order (Dkt. 42), and remained set for April 11 in the First Amended Docket Control Order (Dkt. 85) and the Second Docket Control Order (Dkt. 87). However, a typographical error in the Parties' Joint Motion to Amend the Second Amended Docket Control Order (Dkt. 116) resulted in the Third Docket Control Order (Dkt. 122) moving the Pretrial conference from April 14, 2025 to April 11, 2025. Because no party requested this change, the Parties respectively request that the Pretrial Conference in this matter be moved from April 14, 2025 (as set via the Third Docket Control Order) back to **April 11, 2025** (where it was originally set by the Court).

The Parties represent that this Motion is not filed for the purposes of delay but rather so that justice may be served. The Parties have met and conferred and are jointly seeking the relief sought in this Motion.

Accordingly, the Parties respectfully request that the Court grant this Joint Motion to Amend the Third Amended Docket Control Order (Dkt. No. 122) as follows:

CURRENT DATE	AMENDED DATE	EVENT
April 14, 2025	April 11, 2025	*Pretrial Conference – 9:00 a.m. in Marshall, Texas before Judge Roy Payne
February 10, 2025	February 14, 2025	Serve Disclosures for Rebuttal Expert Witnesses

CURRENT DATE	AMENDED DATE	EVENT
January 15, 2025	January 20, 2025	Serve Disclosures for Expert Witnesses by the Party with the Burden of Proof

Dated: December 27, 2024

/s/ Katherine Q. Dominguez

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**ATTORNEYS FOR PLAINTIFF,
Headwater Research LLC**

CERTIFICATE OF SERVICE

I hereby certify that all counsel of record who are deemed to have consented to electronic service are being served this 27th day of December 2024, with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3).

/s/ Marc Fenster

Marc Fenster

CERTIFICATE OF CONFERENCE

The undersigned certifies that counsel complied with the requirements of Eastern District of Texas Local Rule CV-7(h). The parties are in agreement on filing this Joint Motion.

s/ Marc Fenster
Marc Fenster